

HALIFAX REGIONAL MUNICIPALITY

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HALIFAX REGIONAL COUNCIL  
COMMITTEE OF THE WHOLE  
MINUTES

October 6, 2009

PRESENT: Mayor Peter Kelly  
Deputy Mayor David Hendsbee  
Councillors: Barry Dalrymple  
Lorelei Nicoll  
Gloria McCluskey  
Darren Fisher  
Bill Karsten  
Jackie Barkhouse  
Jim Smith  
Mary Wile  
Jerry Blumenthal  
Dawn Sloane  
Sue Uteck  
Jennifer Watts  
Russell Walker  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Robert Harvey  
Tim Outhit  
Peter Lund

REGRETS: Councillors: Steve Streach  
Reg Rankin

STAFF: Mr. Dan English, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Christen MacDonald, Acting Municipal Clerk  
Ms. Melody Campbell, Legislative Assistant

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**1. CALL TO ORDER**

Mayor Kelly called the meeting to order at 8:20 p.m.

**2. APPROVAL OF THE MINUTES - September 22, 2009**

**MOVED BY Councillor McCluskey, seconded by Councillor Nicoll, that the minutes of September 22, 2009, as presented, be approved. MOTION PUT AND PASSED.**

**MOVED BY Councillor Walker, seconded by Councillor Hum, that Item #4, Committees of Council Reform be referred to the next Committee of the Whole. MOTION PUT AND PASSED.**

**3. TOBACCO USAGE RESTRICTIONS AT OUTDOOR RECREATION FACILITIES**

- A staff report dated September 23, 2009 was before Council.

Mr. Peter Bigelow, Manager, Real Property Planning, provided the power point presentation, Tobacco Usage Restrictions at Outdoor Recreation Facilities, to Council.

**MOVED BY Councillor Mosher, seconded by Councillor McCluskey, that Regional Council:**

- 1. Approve the proposed policy requiring that all HRM owned and administered outdoor recreation facilities where children are participating in activities, such as sport fields, courts, beaches, playgrounds, outdoor rinks, swimming pools, spray parks, skateboarding parks, BMX parks, onsite canteens and public washrooms, \*Point Pleasant Park, and \*Hemlock Ravine Park (\* where restrictions are already in place) be free of smoking and tobacco product uses, as outlined in Attachment 1 of the report dated September 23, 2009; and**
- 2. Establish an interim period of two months following policy approval during which time staff will work with members of Council to identify the official list of sites to be covered by the proposed policy.**

Councillor Mosher advised that she brought this forward in January of 2008. She stated that there are three major issues in regard to this matter; negative health impacts of second hand smoke, possible toxicology of ingesting cigarette butts, and a positive role model for youth. She noted that Councillors have a role to be leaders in the community and convey a positive image. The Councillor stated that it is known that children are less likely to smoke when they are in a smoke free environment. She noted that evidence shows that smoking outdoors has a negative impact and dependant on proximity and wind conditions, it can be the same as smoking indoors. She advised that cigarette smoke

contains a Class A Carcinogen containing deadly particles promoting a negative effect. She added that concern for children is greater as their lungs are not fully developed they do not have the capacity of an adult. She added that there is a need to look after those susceptible to smoke's toxic effects. She noted that over 8000 children under the age of seven in the U.S. have had nicotine poisoning due to ingesting cigarette butts. She added that ingestion can lead to serious health concerns and in some cases be fatal.

Councillor McCluskey stated that she anticipates that this policy will be more effective than the Smoke Free Protection Act and that she hopes for its success. In response to a question by Councillor McCluskey, Mr. Dunphy, Director of Community Development, advised Council that the recommendation is a policy which gives as much protection as a by-law. Councillor McCluskey stated that a by-law would require a public hearing which could draw more attention to the issue.

Councillor Dalrymple stated that many minor sport organizations have this policy as part of their constitution. In response to a question by the Councillor, Mr. Bigelow advised that the approach is to post HRM property including parking lots.

Councillor Blumenthal questioned whether this policy goes far enough noting that sidewalks and transit stops should be considered. In response to a question by the Councillor, Mr. Bigelow noted that areas that will be posted non-smoking are areas frequented by children, and he added that if the area is primarily adult use, the Councillor of the area will be consulted.

Councillor Karsten questioned the concept of geographic boundaries and how will staff determine where and how they will exist.

Councillor Walker advised that facility rental agreements should not be made as part of the implementation, as the renter cannot be held responsible for all those in attendance at an event. The Councillor added that it would be beneficial to have a public hearing so that residents can voice their opinion. He added that enforcement will be an issue. Mr. Dunphy replied that 100% enforcement is not possible, and that is where the social marketing campaign will be of great benefit.

Councillor Hum added that this policy may not be going far enough as there are many negative health impacts due to use of tobacco. She added that the social marketing campaign and public education is critical. She added there has to be a change in behaviour. The Councillor stated that clarification of sport field sites is needed. Mr. Bigelow advised that HRM looks after 900 park properties and a list will be determined and brought back to Council.

Councillor Lund questioned the boundary areas, as some park areas have a large land mass with a variety of uses.

Deputy Mayor Hendsbee added that those who smoke need areas to smoke in and staff need to ensure that infrastructure is in place to support it, ie. butt receptacles.

Councillor Watts noted the importance of a consistency of sites taken into account. She noted the negative environmental impacts of cigarette butts adding they are the number one litter problem. She added that the butts are made of non-biodegradable, toxic materials which is a negative impact on the environment.

Councillor Smith questioned whether the beach list includes beaches on the ocean. He noted it would be beneficial to have a list provided to Council of the sites anticipated to be smoke free.

Councillor Harvey added that social marketing works as 80% are now in compliance. He noted that over the years the large shift in the public perception on smoking has taken place.

Councillor Wile expressed concern regarding enforcement of the policy.

Councillor Nicoll stated that Cole Harbour Minor Soccer promoted and has successfully had a non-smoking program in place for years. She stated that cigarette butts are an issue by adding toxins to waterways and ecosystems.

Councillor Blumenthal raised concern regarding signage for those visually impaired. Mr. Bigelow suggested that staff work with various organizations frequented by the visually impaired to ensure that persons are made aware of the policy.

Councillor Mosher advised that litter is an issue, even with butt receptacles in place, often they are not used. She stated that the ban needs to be realistic, for example, smoking be banned from areas in the Dingle Park, such as the playground, beach and canteen area. She advised that this policy has strong community support.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**3. COMMITTEES OF COUNCIL REFORM**

This item was deferred to the next Committee of the Whole.

**4. ADJOURNMENT**

The meeting adjourned at 9:35 p.m.

Christen MacDonald  
Acting Municipal Clerk